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at 3 p.m.
New York

SUMMARY RECORD OF THE 23rd MEETING

Chairman: Mr. MUTHAURA (Kenya)

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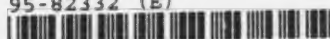
AGENDA ITEM 86: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING
OPERATIONS IN ALL THEIR ASPECTS (continued)

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The meeting was called to order at 3.10 p.m.

AGENDA ITEM 86: COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS (continued) (A/49/875-S/1995/235, A/49/876, A/49/886-S/1995/276; A/50/137-S/1995/295, A/50/215-S/1995/475, A/50/230, A/50/254-S/1995/501, A/50/437, A/50/702, A/50/711-S/1995/911; and A/C.4/50/L.10*)

1. Ms. COELHO DA CRUZ (Angola) said that the United Nations Angola Verification Mission (UNAVEM III), which had been established for the purpose of assisting the peace process in Angola and achieving national reconciliation, was based on the Bicesse Accords, the Lusaka Protocol and relevant Security Council resolutions. In May 1995, the Government of Angola and the United Nations had signed an agreement on the status of peace-keeping operations, and UNAVEM III troops had subsequently been deployed in several parts of the country. Although many issues remain to be resolved, UNAVEM III was dealing with moving UNITA troops to quartering areas, disarmament, and selection of UNITA military personnel to integrate the Angolan armed forces, as well as with the demobilization of veterans returning to civilian life after undergoing vocational training.
2. Angola was grateful to the United Nations and to all States and international, governmental and non-governmental organizations that had participated in peace-keeping and humanitarian assistance activities there. The Angolan Government was ready to collaborate closely with international organizations engaging in peace-keeping and in promoting the welfare of the population.
3. Angola believed that peace-keeping operations should be conducted in accordance with the aims and principles enshrined in the United Nations Charter and with the consent, or at the request of the Member States involved. Angola supported the suggestions and recommendations formulated by the Special Committee for Peace-keeping Operations in its report on the comprehensive review of the whole question of peace-keeping operations in all their aspects (A/50/230), and particularly regarding the financing of such operations. Angola urged all Member States to pay their assessments and thereby contribute to the success of United Nations peace-keeping operations.
4. Mr. THAMER (Qatar) said that the increase in peace-keeping operations and in their complexity had generated various financial and organizational problems, for which reason it had become essential to study all aspects of such operations. Some members considered that the operations had exceeded their traditional framework by including humanitarian assistance, observance of elections and the monitoring of human rights compliance among their activities. But, in fact, such activities complemented peace-keeping operations and were necessary since conflicts in recent years had given rise to situations which, typically, featured large numbers of civilian wounded, displacement of people, violations of human rights and destruction of infrastructure in States. If peace-keeping operations did not include such activities, many of them would fail, as had occurred in Somalia and the former Yugoslavia. In order to avoid failures in the future, the United Nations should learn from the experience

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acquired in all previous operations and ensure that future missions were undertaken with the consent of the parties involved and that they adhered to the principles enshrined in the Charter.

5. Qatar considered that cooperation should be promoted between the United Nations and regional organizations, which were already playing an important role in conflict solution and whose peace-keeping activities had evolved parallel to those of the United Nations. Mention might be made, in that connection, of the conflict prevention mechanism established by the Organization of African Unity, which was a useful instrument in preventive diplomacy.

6. Mr. PRICKETT (Australia) said that, in assessing the value and future role of United Nations peace-keeping, account should be taken of the horrors that occurred when the political will to respond to conflicts was absent. The United Nations should build stronger machinery to prevent conflict and operate as an active agent for the resolution and management of disputes, as envisaged in Article 33 of the Charter.

7. His delegation supported the recommendations contained in the Secretary-General's report on improving preparedness for conflict prevention and peace-keeping in Africa (A/50/711). However, the United Nations should not fail to fulfil its obligations in the areas of preventive diplomacy and peace-keeping. The Security Council should apply uniform criteria to peace-keeping operations in different regions, in order to ensure that its credibility and authority were not impaired.

8. Regarding the financial crisis experienced by peace-keeping operations, he suggested that it was unacceptable that the largest United Nations Member State contributor should continue to destabilize its operations. Australia rejected a unilateral decision by any Member State to alter its agreed level of assessment, which could only be effected through negotiations among all Member States. Troop-contributing States were particularly hard hit by the crisis and in some cases would be unable to continue to participate in United Nations peace-keeping operations, thus affecting the universal character of such operations and their composition.

9. The mandates formulated by the Security Council for peace-keeping operations must be realistic and achievable. The last few years had provided too many examples of politically influenced Security Council mandates, which had not been viable in the field and which had lacked clarity regarding goals and reasonable time-frames. Consultation between the Security Council and troop contributors should be formalized. He believed that the time was right to rectify the problem of the lack of adequate military advice to the Security Council. He welcomed the Secretariat's work on the United Nations Stand-by Arrangements, which Australia had joined, and considered that the Special Committee on Peace-keeping Operations should study the proposals regarding the United Nations rapid reaction capability.

10. The organization and planning capacity of the United Nations should continue to be enhanced. Should the United Nations capacity and resources to meet those requirements be diminished, the Organization would not be able to respond appropriately to threats of conflict or crisis. It should also be

recognized that peace-keeping operations would improve only if appropriate conditions were created, both within the Secretariat and on the ground. Hence, the advances achieved by the Department of Peace-keeping Operations over the past two years should be maintained. Australia did not consider that the Department should reduce or cease to use the services of its military experts.

11. Mrs. BANTSI (Botswana) said that, as a result of the conflicts that had emerged in recent years, the United Nations had been obliged to make critical decisions in relation to peacemaking, peace-building and peace-keeping. The effectiveness of peace-keeping missions depended, to a significant extent, on the willingness of the parties to the conflict to establish and maintain a peaceful, stable and secure environment and their readiness to cooperate with the Security Council. Botswana considered that the Council should be expanded to make it more representative and that its operations should become more transparent. Membership of the Special Committee should also be expanded as soon as possible. No peace-keeping operation was possible without adequate resources. Her delegation therefore urged all Member States to pay their assessments on time and in full.

12. Recent conflicts had tested the ability of the United Nations to respond promptly to crisis situations. Obviously, a time-lag occurred between the Security Council's decision to send peace-keeping missions and the deployment of troops. A number of proposals had been put forward on how to shorten the reaction time of the Department of Peace-keeping Operations, including the establishment of a permanent rapid deployment brigade. While her delegation fully appreciated the reasoning behind that proposal, it nevertheless had reservations about its practical operation and considered that introduction of a United Nations Stand-by Arrangements System was a more viable solution.

13. Despite the length of time it took the United Nations to respond to a crisis situation, the successes achieved in Cambodia, El Salvador and Mozambique should not be forgotten. Likewise, the missions in Angola and Haiti were making steady progress towards a successful conclusion. Botswana had participated in several operations, contributing 700 troops to the United Nations Operation in Somalia (UNOSOM), 1,000 troops to the United Nations Operation in Mozambique (ONUMOZ) and 9 troops to Rwanda under the Uganda/Rwanda Observer Mission.

14. She appreciated the importance attributed by the Secretary-General in his report to regional agreements and to the role that could be played by the Organization of African Unity (OAU) in conflict prevention and peace-keeping. The OAU member States were also United Nations Member States, and their conflicts should be treated in the same manner as any other international conflicts.

15. Mr. ZIMMERMAN (Observer for the International Committee of the Red Cross (ICRC)) said that the operations currently being organized or authorized by the United Nations were far more numerous and complex than in the past. In several cases, the principle of consent of the parties, which had been regarded as an essential precondition for deployment of United Nations forces, had not been observed, which had obliged the Blue Helmets to resort more and more often to force.

16. In implementing broader mandates, United Nations forces had been faced with entirely new problems. The question of the applicability of international humanitarian law to peace-keeping or peace enforcement forces was a question that preoccupied ICRC, the United Nations and the whole international community, particularly the troop-contributing States. ICRC took the view that all provisions of international humanitarian law were applicable when United Nations contingents used force, whereas in the view of the United Nations those forces were bound only by the "principles and spirit" of the humanitarian law treaties.

17. At its meeting in April 1995, the Special Committee had asked the Secretary-General to complete the elaboration of a code of conduct for the United Nations peace-keeping personnel, consistent with applicable international humanitarian law. In conformity with its mandate, ICRC had studied the possible content of such a code of conduct and had organized two meetings of experts to examine all the provisions of humanitarian law from the standpoint of their applicability to peace-keeping forces. The results of the study could be found in a document which would be the subject of informal consultations with the Secretariat and which at a later date would be submitted to the Secretary-General for circulation. The purpose of the document was to define the content and scope of the "principles and spirit" of international humanitarian law by which the United Nations had declared itself bound. ICRC trusted that the document would prove useful and that it could be distributed to all contingents engaged in peace-keeping or peace enforcement and to the troop-contributing States.

18. On the basis of its long experience of armed conflicts, ICRC was convinced that sound training in international humanitarian law had a preventive as well as an operational value. In addition, it should be emphasized that only a thorough knowledge of the rules of humanitarian law would enable United Nations troops to ensure that the parties to a conflict followed those rules and, if necessary, to report violations to the relevant authorities in order to prevent war crimes and punish those who permitted them. For that reason, ICRC considered it important to establish standard procedures for the instruction of United Nations troops and to make sure that every national contingent had received proper training before being deployed. Although the dissemination of international humanitarian law among the armed forces was one aspect of ICRC activities and it was therefore willing to cooperate in setting up dissemination programmes for the Blue Helmets, that dissemination was first and foremost the responsibility of the United Nations and the troop-contributing States.

19. Mr. SHARPLEY (South Africa) said that there was a growing understanding in the international community that peace, security and stability, as well as the prevention, management and resolution of conflicts, could not be envisaged in military terms only. Any effort to prevent or resolve conflicts required, among other things, the examination of certain issues: the promotion of human rights, democracy and good governance; the promotion of the political, economic and social well-being of the poor; the protection of the environment, the prohibition of arms proliferation and smuggling, drug trafficking, refugees, mass migration, disease, drought and other natural disasters; the legal and social status of women, the protection of children and the will to address the needs of the marginalized sectors of society.

20. Since the end of the cold war, the vast majority of conflicts had been of an intra-State nature, and many of those had taken place in Africa. His delegation supported the efforts of the international community to bring peace and stability to Africa and was fully committed to the principles of preventive diplomacy, peace-keeping and peacemaking through the use of international and regional multilateral mechanisms. It also considered that local mechanisms to assist in the prevention and resolution of conflicts in Africa should be explored. In Southern Africa, those activities should take place within the Southern Africa Development Community. At the 1993 Summit of the Organization of African Unity, a mechanism had been established for conflict prevention, management and resolution. At the 1994 Summit, South Africa had been elected to serve on the central organ of that mechanism. Whereas in the past, neighbouring States had been wary of South Africa's military strength, South Africa's current deliberate policy of transparency and the concerted use of common resources to ensure regional stability should form the basis for fruitful cooperation between States in the future.

21. Africa had experienced the tragic consequences of slavery and dismemberment during colonization. Regrettably, the decolonization process, which had begun in earnest in the 1960s, had been undermined by the cold war. It was imperative that the entire continent should put behind it that period, which had been characterized by political instability, dictatorship, civil war, millions of refugees and internally displaced persons, persistent economic decline and the impoverishment of millions of people. As President Mandela had pointed out in his address to the United States Congress, the world was a stage and the actions of its inhabitants were part of the same drama; therefore all nations should begin to define the national interest to include the genuine happiness of others, however distant they might be. It was time to cease to treat tyranny, instability and poverty anywhere on the globe as being peripheral to the interests of any State.

22. Mr. PHANIT (Thailand) said that United Nations peace-keeping operations in the last decade involved United Nations participation in the resolution of various intra-State conflicts. Its involvement had also extended to national political reconstruction, the supervision of elections and humanitarian assistance. That had given rise to differences of opinion on, for example, the lack of a clear distinction between peace-keeping activities and coercive measures or on the question of impartiality.

23. The issue of United Nations peace-keeping operations had aroused great interest at the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held in Cartagena, Colombia, in October 1995. In the final document issued by the Conference, the participants had reaffirmed their belief that the primary responsibility for international peace and security lay with the United Nations, and they had made significant observations which Thailand fully supported. One such observation which deserved to be emphasized said that the proliferation of peace-keeping operations was producing an imbalance in the United Nations between resources allocated to those operations and resources intended for development activities.

24. He cited the case of Cambodia, where the principle of consent of the parties had figured prominently in the process of political settlement. The

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agreement reached between the four Cambodian factions in Paris in 1991 had paved the way for the establishment of the United Nations Transitional Authority in Cambodia (UNTAC). However, the exclusion of one of the factions from the final process of conflict settlement almost led to violence and the use of force and could have resulted in the failure of UNTAC. In addition, the experiences of the United Nations Iraq-Kuwait Boundary Commission (UNIKOM), the United Nations Guards Contingent (UNGCI) and UNTAC had shown that peace-keeping operations required preparation, a practical plan of action, a clearly defined mandate, a precise time-frame, clear objectives, secure financing and adequate resources.

25. While the Security Council bore primary responsibility for the maintenance of international peace and security, that responsibility should be shared by the General Assembly, particularly in areas such as the assessment of the effectiveness of operations in implementing their mandates, coordination between competent United Nations bodies and the formulation of guidelines and principles for those operations. Consultation was an important element for the success of peace-keeping operations; his delegation therefore welcomed the commitment to consultation between the Security Council, the Department of Peace-keeping Operations of the Secretariat and troop-contributing countries. Countries directly affected by the situation should also be kept informed and consulted at all stages of planning, management and coordination, as had been borne out by his Government's experience during the UNTAC operation in Cambodia, when some difficulties had been experienced with troops in transit and on leave.

26. On the issue of finance, his delegation supported the point raised by the President of the General Assembly on the need to re-examine the general peace-keeping policy of the United Nations. It was convinced that it would be appropriate to endeavour to curtail the increasing expenses of United Nations peace-keeping and related operations which currently accounted for a large part of the Organization's financial difficulties. He reiterated that all Member States had a moral obligation to pay their contributions in full and on time.

27. With regard to the Special Committee on Peace-keeping Operations, he said that the question of peace-keeping operations was of vital interest to Member States, that there were currently more than 80 troop-contributing countries and that the Special Committee was the only forum in which Member States could consider the question. As a result, his delegation was of the opinion that the Special Committee should be expanded and should become an open-ended working group where all interested States could participate on an equal footing.

28. Mr. VAHER (United Nations Children's Fund (UNICEF)) said with reference to the Joint Inspection Unit (JIU) report on the investigation of the relationship between humanitarian assistance and peace-keeping operations (A/50/572) that it was necessary to develop field operational guidelines for humanitarian activities and peace-keeping operations collaboration in areas such as training and joint strategy development and cooperation with national peace-keeping contingents. The report highlighted the distinguishing features of the various humanitarian agencies and their mandates. He noted that JIU was preparing another study on the involvement of the United Nations system in providing and coordinating humanitarian assistance and mentioned UNICEF's interest in being involved in the process of preparing the report.

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29. With reference to the need for further coordination between the various actors and agencies and also between the field and Headquarters activities, UNICEF was currently preparing memoranda of understanding with the Office of the High Commissioner for Refugees (UNHCR) and the World Food Programme (WFP) in order to be in a position to respond efficiently to complex emergencies in collaboration with its United Nations partners. UNICEF viewed the Inter-Agency Standing Committee (IASC) as the major instrument for coordinating policy issues related to humanitarian assistance. All recommendations contained in the JIU report should be viewed in a context consistent with the approach developed by IASC.

30. With respect to JIU Recommendation 4, UNICEF strongly concurred with the involvement of academic institutions and centres of excellence in exchanging ideas which would help to formulate and strengthen its policies and strategies in dealing with complex emergencies. UNICEF placed great importance on its collaboration with non-governmental organizations in the field and was currently reformulating and improving the memoranda of understanding covering its cooperative relationship with them in emergency situations.

31. UNICEF also agreed with Recommendation 10 on the safety of United Nations and associated humanitarian personnel and, in the recent Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, had emphasized the need for Member States to afford protection against land-mines to staff of United Nations agencies and other humanitarian workers in the field. UNICEF also urged United Nations agencies to provide protection and assistance to civilians on all sides. It gave high priority to the need to establish clear lines of responsibility among the various United Nations agencies. With respect to coordination in the field, it fully endorsed the progress made in IASC and in particular the work the Committee had done in developing criteria for the selection of humanitarian coordinators in emergency situations.

32. UNICEF also strongly supported Recommendation 6 on human rights and the protection of those rights in complex emergencies. It was currently supporting the Graca Machel study on children in armed conflict and was working closely with the Committee on the Rights of the Child in monitoring accession to the Convention on the Rights of the Child.

33. Mr. GAMBARI (Nigeria) said that the agenda item under discussion was of particular interest to his delegation, not only because Nigeria was chairing the Special Committee on Peace-keeping Operations, but also because it was a major troop contributor to United Nations peace-keeping operations. The international community must not falter in its quest for peace and security through preventive diplomacy, peacemaking and strategies for socio-economic development. When it became obvious that peace-keeping operations would have to be established and deployed, mandates must be clearly defined and command and control structures unified. Peace-keeping operations should take place in accordance with the principles of respect for the sovereign equality and territorial integrity of the States concerned. The consent of parties should always be obtained in all aspects of peace-keeping operations which must remain distinct from peace-enforcement activities.

34. His delegation welcomed the efforts of the Secretariat to establish rapid reaction capabilities and the creation of a system of stand-by arrangements. His Government had concluded an agreement with the Secretariat to provide a unit for the system. It also welcomed the arrangements for consultation between the Security Council, the Secretariat and troop contributors and hoped that they would be still further developed.

35. His Government's experience in West Africa had shown that it was vital to improve cooperation between the United Nations and the regional organizations and arrangements for maintaining international peace and security, including peace-keeping operations. With regard to the safety and security of peace-keepers, his delegation welcomed the adoption of the resolution on the Convention on the Safety of United Nations and Associated Personnel and urged that it should be given practical application. The issue of compensation for those wounded or killed in action during United Nations assignments should also be looked at closely.

36. Adequate funding for peace-keeping operations was not only vital to enable the operations to fulfil their mandates but also had a bearing on the reimbursement of troop contributors. Peace-keeping operations should continue to be funded through assessed contributions. His delegation urged Member States to pay their contributions promptly, in full and without conditions and opposed suggestions that operations should be financed through voluntary contributions, duly authorized by the Security Council.

37. His delegation wished to reiterate its concern regarding an apparent trend towards selective treatment of crises in different regions of the world. The United Nations and its Member States must remain even-handed and impartial in responding to conflicts throughout the world.

38. MR. TAKHT-RAVANCHI (Islamic Republic of Iran) said that the unprecedented growth in the number of peace-keeping operations had strained the financial capacities of the United Nations. There was a growing awareness among Member States of the need to establish clearly a set of principles and guidelines to govern all United Nations peace-keeping operations. The principles and guidelines adopted by the recent Conference of Heads of State or Government of the Non-Aligned Countries, held in Cartagena, and at the Eleventh Ministerial Conference of the Non-Aligned Movement, held in Cairo in 1994, should be followed in all peace-keeping operations; the latter should be distinct from other United Nations activities, such as humanitarian assistance.

39. Full transparency was required in both the establishment and composition of peace-keeping operations. Equitable opportunities should be ensured to facilitate the widest possible participation of Member States, not only in the operations, but also in all mechanisms existing in the Secretariat for command, control and other aspects of such operations. The Islamic Republic of Iran was ready in principle to participate in United Nations peace-keeping operations in accordance with the fundamental principles of the Charter of the United Nations.

40. Peace-keeping operations should be established with clear mandates and should not evolve into operations of a military nature. The practice of allowing a State or group of States to operate on behalf of the United Nations

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could affect the credibility of the Organization. Resources for peace-keeping activities should not be provided at the expense of the development activities of the United Nations. The role of the General Assembly regarding all aspects of peace-keeping operations should be enhanced. His delegation believed that the expansion of the membership of the Special Committee could be helpful in that regard and supported changing it to an open-ended Committee. He hoped that the Special Committee would make recommendations on expansion which the General Assembly would be able to endorse without a vote at its next session.

41. Mr. RAI (Nepal) said that his delegation, too, wanted to see an expansion in the membership of the Special Committee in order to render it more representative. Membership should be extended to all the troop-contributing countries, including his own.

42. Nepal had a long and ongoing history of participation in peace-keeping operations such as those of the United Nations Observation Group in Lebanon, the United Nations Emergency Force, the United Nations Operation in Somalia and, currently, the United Nations Peace Forces, the United Nations Interim Force in Lebanon and the United Nations Mission in Haiti. Nepal had consistently committed its troops, military observers and civilian police personnel, many of whom had lost their lives in the performance of their duties.

43. Given the multiple functions performed by United Nations peace-keeping forces, it was important that the mandates of new operations should be clearly defined, while strictly adhering to the principles and purposes of the Charter. His delegation welcomed the measures taken to streamline the Department of Peace-keeping Operations and supported the Secretary-General's actions to develop the system of stand-by arrangements.

44. Timely and full payment by Member States of their assessed contribution was essential, since lack of funds had rendered the United Nations unable to reimburse the troop-contributing countries. The withholding of reimbursements not only shifted the burden from the rich countries to the poor ones, but also made it difficult for the latter to participate.

45. The safety of the United Nations personnel involved in the various peace-keeping operations should be a primary concern of the international community. Nepal was happy at the adoption of the Convention on the Safety of United Nations and Associated Personnel and hoped that it would come into force as early as possible. Equally important was the question of death and disability compensation. Nepal had long been drawing attention to the fact that current arrangements for payment of compensation to the families of peace-keeping personnel who had been killed or wounded had been inadequate and discriminatory. By adopting resolution 49/233 the General Assembly had endorsed the principle of equal treatment of Member States and called for the simplification of administrative arrangements to enable the speedy settlement of compensation claims; however, there was as yet no uniform standard of compensation. Nepal wished to reiterate that the payment should be made on the principle of equal compensation for equal work.

46. Peace-keeping operations could only be a temporary arrangement for the maintenance of international peace and security, which would remain an

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unattainable goal without real progress in the areas of social and economic development. It was imperative to restore the balance between the political and military activities of the United Nations and its economic and social programmes.

47. Mr. SARRIS (Greece), speaking in exercise of the right of reply, said that at the previous meeting the representative of the former Yugoslav Republic of Macedonia had used the wrong name for his country. In that context he drew attention to Security Council resolution 817 (1993).

48. Mr. TASOVSKI (The former Yugoslav Republic of Macedonia), speaking in exercise of the right of reply, said that the representative of Greece put an incorrect interpretation on Security Council resolution 817 (1993); nowhere did that resolution state that the official name of his country - the Republic of Macedonia - could not be used.

49. Mr. SARRIS (Greece), speaking in exercise of the right of reply, said that the resolution did not need interpretation, since it was very clear on the matter.

Draft resolution A/C.4/50/L.10*

50. Mr. KARSGAARD (Canada), reflecting the general view of the members of the Committee, proposed a revision to draft resolution A/C.4/50/L.10*. He suggested that the following paragraph should be inserted after the seventh preambular paragraph:

"Taking note of the report of the Secretary-General on improving preparedness for conflict prevention and peace-keeping in Africa and the recommendations therein, which should be considered further in consultation with the Organization of African Unity,"

together with the corresponding footnote.

51. Draft resolution A/C.4/50/L.10*, as orally revised, was adopted without a vote.

52. The CHAIRMAN said that the Committee had concluded its consideration of agenda item 86.

The meeting rose at 5 p.m.